

**SENATE JOURNAL
66TH LEGISLATURE
EIGHTY-SECOND LEGISLATIVE DAY**

Helena, Montana
April 18, 2019

Senate Chambers
State Capitol

Senate convened at 9:00 a.m. President Sales presiding. Invocation by Senator C. Smith. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 4/18/2019

Correctly printed: **SJ 22, SJ 28, SJ 29, SJ 30, SJ 31, SJ 32, SJ 33, SR 55, SR 56, SR 58, SR 60, SR 61, SR 62, SR 63, SR 64, SR 65, HB 8, HB 10, HB 217, HB 421, HB 500, HB 534, HB 652, HB 694, HJ 12, HJ 29, HJ 31, HJ 34, HJ 35, HJ 36, HJ 38, HJ 39, HJ 40, HJ 43, HJ 45.**

Correctly engrossed: **SJ 20.**

Examined by the sponsor and found to be correct: **SB 24, SB 51, SB 225, SB 321, SB 324, SB 329, SB 341, SB 354, SR 50, SR 54.**

Transmitted to the House: **SJ 22, SJ 28, HB 8, HB 10, HB 217, HB 421, HB 500, HB 534, HB 652, HJ 12, HJ 29, HJ 31, HJ 34, HJ 35, HJ 36, HJ 38, HJ 43, HJ 45.**

Delivered to the Secretary of State at 1:15 p.m., April 18, 2019: **SR 36, SR 39, SR 40, SR 41, SR 42, SR 43, SR 46, SR 47, SR 49, SR 51.**

Senator Howard informed the Senate that Andee Baker, one of this week's Pages, has recently been selected as a Presidential Career Technical Education Scholar semi-finalist. She is the only girl from a Montana Class C school to have earned this honor.

REPORTS OF STANDING COMMITTEES

HIGHWAYS AND TRANSPORTATION (Vance, Chair): 4/18/2019
SR 60, be adopted.

NATURAL RESOURCES (Welborn, Chair): 4/17/2019
SJ 20, introduced joint resolution, be amended as follows:

1. Title, page 1, line 6.

Strike: "DISPOSITION"

Insert: "FUTURE MANAGEMENT AND PLANNING"

2. Page 1, line 24 through page 2, line 3.

Strike: page 1, line 24 through page 2, line 3 in their entirety

Insert: "WHEREAS, no legislation has yet been passed by Congress and signed by a president regarding these wilderness study areas despite past attempts to address the issue; and"

3. Page 2, line 5.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Following: "resources"

Insert: ", including timber harvest, grazing management, stewardship contracts, and conservation designations and management"

4. Page 2.

Following: line 5

Insert: "WHEREAS, 40 years of legal uncertainty have resulted in untenable conflicts between various user groups, a lack of forest management, decreasing livestock use, reduced motorized opportunities, and decreased funding for noxious weed management; and"

5. Page 2, line 20 through line 21.

Strike: line 20 through line 21 in their entirety

Insert: "WHEREAS, Montanans have a long history of working together to find common ground on contentious issues related to natural resource management and planning; and
WHEREAS, Montanans have expressed a deep desire to develop and enact sensible legislation for Montana's public lands and wilderness study areas that meet a variety of diverse interests and produce mutual benefits."

6. Page 2, line 28.

Strike: "a forum"

Insert: "public forums"

7. Page 5.

Following: line 29

Insert: "BE IT FURTHER RESOLVED, that the committee learn about different stakeholder working groups and agency planning processes addressing this issue to better inform their decisions."

And, as amended, do pass.

HJ 40, be concurred in.

STATE ADMINISTRATION (Brown, Chair):

4/17/2019

SJ 29, do pass.

SJ 32, do pass.

SR 56, be adopted.

HJ 39, be concurred in.

Without objection, committee reports were adopted.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

MESSAGES FROM THE GOVERNOR

April 17, 2019

Senator Scott Sales, President
Montana Senate
Capitol Building
Helena, MT 59601

Dear President Sales:

On Wednesday, April 17, 2019, I signed the following bills:

Senate Bill 1 -- Malek
Senate Bill 3 -- Gross
Senate Bill 14 -- D. Brown
Senate Bill 46 -- Cohenour
Senate Bill 82 -- Fitzpatrick
Senate Bill 89 -- D. Brown
Senate Bill 98 -- F. Smith
Senate Bill 101 -- Regier
Senate Bill 115 -- Kary
Senate Bill 119 -- Blasdel

Sincerely,

STEVE BULLOCK
Governor

MESSAGES FROM THE OTHER HOUSE

Senate amendments to House bills concurred in:

4/17/2019

HB 413, introduced by F. Anderson
HB 598, introduced by M. Hopkins
HB 631, introduced by K. Dudik
HB 654, introduced by Z. Brown
HB 657, introduced by D. Bedey
HB 716, introduced by T. Woods
HB 754, introduced by S. Vinton

SB 352 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 352**:

4/17/2019

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Representative Glimm, Vice Chair
Representative Ballance
Representative Lynch

House joint resolution passed and transmitted to the Senate for concurrence: 4/17/2019

HJ 48, introduced by D. Lenz

Conference Committee Report No.1 adopted: 4/17/2019

HB 16, introduced by D. Fern

HB 684 - The House failed to concur in Senate amendments to **HB 684**, authorized the Speaker to appoint the following **Free** Conference Committee, and requested that the Senate appoint a like committee to confer on **HB 684**:

4/17/2019

Representative M. Regier, Vice Chair
Representative Glimm
Representative Lynch

HB 715 - The House failed to concur in Senate amendments to **HB 715**, authorized the Speaker to appoint the following **Free** Conference Committee, and requested that the Senate appoint a like committee to confer on **HB 715**:

4/17/2019

Representative Glimm, Vice Chair
Representative Jones
Representative Lynch

FIRST READING AND COMMITMENT OF BILLS

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJ 33, introduced by T. Gauthier, K. Bogner, M. Caferro, S. Fitzpatrick, J. Gross, T. Jacobson, M. Phillips, D. Salomon, referred to Business, Labor, and Economic Affairs.

The following House joint resolution was introduced, read first time, and referred to committee:

HJ 48, introduced by D. Lenz, referred to Public Health, Welfare and Safety.

MOTIONS

Senator Sands moved that **HB 298** be taken from the Judiciary Committee and placed on second reading this date. Motion **failed** as follows

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Yeas: Barrett, Bennett, Boland, Cohenour, Ellis, Esp, Flowers, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Smith F, Vuckovich, Webber.

Total 24

Nays: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 26

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Blasdel in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SR 53 - Senator Howard moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 53**. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Absent or not voting: None.

Total 0

SB 30 - House Amendments - Senator Gross moved House amendments to **SB 30** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vuckovich, Webber, Welborn.

Total 32

Nays: Blasdel, Brown, Cuffe, Ellsworth, Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Lang, Osmundson, Regier, Smith C, Tempel, Vance, Webb, Mr President.

Total 18

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 114 - House Amendments - Senator Gross moved House amendments to **SB 114** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Fielder, Fitzpatrick, Flowers, Gauthier, Gross, Hinebauch, Hoven, Howard, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webb, Webber.

Total 34

Nays: Blasdel, Brown, Cuffe, Ellsworth, Esp, Gillespie, Kary, Keenan, Lang, Osmundson, Regier, Smith C, Thomas, Vance, Welborn, Mr President.

Total 16

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

SB 125 - House Amendments - Senator Fitzpatrick moved House amendments to **SB 125** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 204 - House Amendments - Senator MacDonald moved House amendments to **SB 204** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 49

Nays: Tempel.

Total 1

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 216 - House Amendments - Senator R. Webb moved House amendments to **SB 216** be concurred in. Motion carried as follows:

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, McConnell, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sesso, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 36

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, MacDonald, Malek, McClafferty, McNally, Sands, Smith F, Vuckovich, Webber.

Total 14

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 239 - House Amendments - Senator Ellsworth moved House amendments to **SB 239** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, McConnell, McNally, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Tempel, Thomas, Vance, Webb, Mr President.

Total 38

Nays: Barrett, Ellis, MacDonald, Malek, McClafferty, Olszewski, Pomnichowski, Sands, Smith F, Vuckovich, Webber, Welborn.

Total 12

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 265 - House Amendments - Senator Jacobson moved House amendments to **SB 265** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Regier, Richmond, Salomon,

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Sands, Sesso, Small, Smith F, Thomas, Vuckovich, Webber, Mr President.

Total 37

Nays: Brown, Esp, Fielder, Hinebauch, Howard, Lang, Olszewski, Osmundson, Smith C, Tempel, Vance, Webb, Welborn.

Total 13

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 312 - House Amendments - Senator Small moved House amendments to **SB 312** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 343 - House Amendments - Senator Richmond moved House amendments to **SB 343** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 49

Nays: Smith C.

Total 1

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 346 - House Amendments - Senator Fitzpatrick moved do **not** concur in House amendments to **SB 346**. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 45

Nays: Esp, Hinebauch, Kary, Keenan, Olszewski.

Total 5

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 363 - House Amendments - Senator Ankney moved House amendments to **SB 363** be concurred in. Motion carried as follows:

Yeas: Ankney, Blasdel, Bogner, Boland, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Malek, McClafferty, McConnell, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Tempel, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 37

Nays: Barrett, Bennett, Brown, Cohenour, Lang, MacDonald, McNally, Olszewski, Phillips, Pomnichowski, Sands, Thomas, Vance.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 13

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 54 - Conference Committee Report No. 1 - Senator K. Regier moved the Conference Committee report to **HB 54** be adopted. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 47

Nays: Ellsworth, Hinebauch, Vance.

Total 3

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 260 - Conference Committee Report No. 1 - Senator Osmundson moved the Conference Committee report to **HB 260** be adopted. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 47

Nays: Bennett, Brown, Pomnichowski.

Total 3

Paired: None.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 599 - Conference Committee Report No. 1 - Senator Small moved the Conference Committee report to **HB 599** be adopted. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Small, Smith F, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 33

Nays: Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Hinebauch, Howard, Kary, Regier, Sesso, Smith C, Tempel, Vance, Mr President.

Total 17

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 93 - Conference Committee Report No. 1 - Senator Richmond moved the Conference Committee report to **SB 93** be adopted. Motion carried as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Malek, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Welborn, Mr President.

Total 34

Nays: Barrett, Bennett, Boland, Cohenour, Flowers, Gross, Jacobson, MacDonald, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Sands, Webber.

Total 16

Paired: None.

Excused: None.

Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Absent or not voting: None.

Total 0

SB 139 - Conference Committee Report No. 1 - Senator Lang moved the Conference Committee report to **SB 139** be adopted. Motion carried as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 43

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Pomnichowski.

Total 7

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 217 - Senator McConnell moved **HB 217** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vuckovich, Webber, Welborn.

Total 26

Nays: Blasdel, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Smith C, Tempel, Thomas, Vance, Webb, Mr President.

Total 24

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

President Sales assumed the chair.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

SB 266 - House Amendments - Senator Blasdel moved House amendments to **SB 266** be concurred in. Motion carried as follows:

Yeas: Ankney, Blasdel, Bogner, Cuffe, Ellsworth, Fielder, Fitzpatrick, Gauthier, Gillespie, Gross, Hinebauch, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Thomas, Vance, Webb, Welborn.

Total 30

Nays: Barrett, Bennett, Boland, Brown, Cohenour, Ellis, Esp, Flowers, Hoven, Howard, Keenan, McNally, Phillips, Pomnichowski, Sands, Smith F, Tempel, Vuckovich, Webber, Mr President.

Total 20

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Senator Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 48

Nays: Barrett, Keenan.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 10 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.
Total 45

Nays: Brown, Esp, Keenan, Vance, Mr President.
Total 5

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 421 concurred in as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.
Total 29

Nays: Barrett, Bennett, Boland, Cohenour, Cuffe, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.
Total 21

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

HB 500 concurred in as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 31

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.

Total 19

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 534 concurred in as follows:

Yeas: Ankney, Blasdel, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 28

Nays: Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Flowers, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.

Total 22

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 12 concurred in as follows:

Yeas: Ankney, Bennett, Blasdel, Bogner, Brown, Cohenour, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips,

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 45

Nays: Barrett, Boland, Ellis, Jacobson, Sesso.
Total 5

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 35 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 49

Nays: Sesso.
Total 1

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 38 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sesso, Small, Smith C, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.
Total 41

Nays: Ellsworth, Esp, Hinebauch, Howard, Phillips, Sands, Smith F, Vance, Mr President.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 9

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 44, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Thomas, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 44

Nays: Brown, Cuffe, Esp, Howard, Tempel, Vance.

Total 6

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 55, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 60, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 76, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 48

Nays: Bogner, Malek.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 0

SB 132, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 253, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 49

Nays: Tempel.

Total 1

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 267, as amended by the House, passed as follows:

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Yeas: Ankney, Barrett, Bennett, Boland, Brown, Cohenour, Ellis, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 39

Nays: Blasdel, Bogner, Cuffe, Esp, Fielder, Kary, Keenan, Lang, Smith C, Tempel, Vance.

Total 11

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 320, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Ellis, Esp, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 44

Nays: Brown, Cuffe, Ellsworth, Fielder, Vance, Mr President.

Total 6

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 330, as amended by the House, passed as follows:

Yeas: Ankney, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Jacobson, McClafferty, McConnell, McNally, Olszewski, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vance, Webb, Webber, Welborn, Mr President.

Total 33

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Nays: Barrett, Brown, Esp, Fielder, Hoven, Howard, Kary, Keenan, Lang, MacDonald, Malek, Osmundson, Pomnichowski, Smith C, Tempel, Thomas, Vuckovich.
Total 17

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 333, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 49

Nays: Lang.
Total 1

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 358, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Blasdel, Bogner, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 34

Nays: Bennett, Boland, Brown, Cohenour, Cuffe, Ellis, Esp, Fielder, Hinebauch, Howard, Keenan, Lang, Osmundson, Pomnichowski, Smith C, Smith F.
Total 16

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 365, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 48

Nays: Hinebauch, Kary.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJ 22 passed as follows:

Yeas: Ankney, Bennett, Blasdel, Bogner, Boland, Brown, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gillespie, Gross, Hoven, Howard, Keenan, Lang, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Webb, Mr President.
Total 36

Nays: Barrett, Cohenour, Cuffe, Gauthier, Hinebauch, Jacobson, Kary, MacDonald, Malek, Salomon, Sesso, Vuckovich, Webber, Welborn.
Total 14

Paired: None.

Excused: None.

Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Absent or not voting: None.

Total 0

HB 16, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Cuffe, Ellis, Fielder, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vuckovich, Webb, Webber.

Total 33

Nays: Blasdel, Bogner, Brown, Ellsworth, Esp, Fitzpatrick, Hinebauch, Howard, Kary, Keenan, Lang, Osmundson, Smith C, Tempel, Vance, Welborn, Mr President.

Total 17

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Thomas moved to appoint a **Free** Conference Committee on **SB 346** and request the House to appoint a like committee. Motion carried. President Sales appointed:

4/18/2019

Senator Fitzpatrick, Chair

Senator Cohenour

Senator Vance

SPECIAL ORDERS OF THE DAY

Senator Webb gave his farewell address to the Senate.

Senate recessed at 10:13 a.m. and reconvened at 10:43 a.m., President Sales presiding.

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Fitzpatrick, Chair):

4/18/2019

SJ 31, do pass.

SR 62, be adopted.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

SR 63, be adopted.

SR 64, be adopted.

SR 65, be adopted.

HB 694, be concurred in.

Without objection, committee reports were adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on House Amendments to **Senate Joint Resolution 3**
Report No. 001, April 17, 2019

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Joint Resolution 3** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Joint Resolution 3** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 5 through line 6.

Strike: "THE IMPACTS" on line 5 through "WATER BODIES; AND" on line 6

2. Page 1, line 15 through line 22.

Strike: line 15 through line 22

For the Senate:

Thomas, Chair

Blasdel

Phillips

For the House:

Skees, Vice Chair

Fern

Zolnikov

FREE CONFERENCE COMMITTEE
on **House Bill 684**
Report No. 001, April 18, 2019

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 684** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 684** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 13.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Following: "FACILITIES;"

Insert: "PROVIDING FUND TRANSFERS;"

2. Title, page 1, line 15.

Following: "3-1-711,"

Insert: "46-1-1104, 46-1-1211,"

3. Page 7.

Following: line 1

Insert: "Section 8. Section 46-1-1104, MCA, is amended to read:

"46-1-1104. Drug treatment court structure. (1) Each judicial district or court of limited jurisdiction may establish a drug treatment court under which drug offenders may be processed to address an identified substance abuse problem as a condition of pretrial release, pretrial diversion under 46-16-130, probation, incarceration, parole, or other release from a detention or correctional facility.

(2) Participation in drug treatment court is voluntary and is subject to the consent of the prosecutor, the defense attorney, and the court pursuant to a written agreement.

(3) A drug treatment court and governmental entities that refer an offender to a drug treatment court shall adopt an evidence-based program evaluation tool that measures how closely the drug treatment court programs meet the known principles of effective intervention. The tool must measure program content and capacity to ensure the delivery of effective interventions for offenders.

~~(3)~~(4) A drug treatment court may grant reasonable incentives under a written agreement if the court finds that a drug offender is performing satisfactorily in drug treatment court, is benefiting from education, treatment, and rehabilitation, has not engaged in criminal conduct, and has not violated the terms and conditions of the agreement. Reasonable incentives may include but are not limited to:

- (a) graduation certificates;
- (b) early graduation;
- (c) fee reduction or waiver of fees;
- (d) record expungement of the underlying case; or
- (e) reduced contact with a probation officer.

~~(4)~~(5) The court may impose reasonable sanctions under the agreement, including incarceration or termination from the drug treatment court, if the court finds that the drug offender is not performing satisfactorily in drug treatment court, is not benefiting from education, treatment, or rehabilitation, has engaged in conduct rendering the offender unsuitable for the program, has otherwise violated the terms and conditions of the agreement, or is for any reason unable to participate. Sanctions may include but are not limited to:

- (a) a short-term jail sentence;
- (b) fines;
- (c) extension of time in the program;
- (d) peer review;
- (e) geographical restrictions;
- (f) termination; or
- (g) contempt of court.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

~~(5)~~(6) Upon successful completion of drug treatment court, a drug offender's case must be disposed of by the judge in the manner prescribed by the agreement and by the applicable policies and procedures adopted by the drug treatment court. This may include but is not limited to pretrial diversion under 46-16-130, dismissal of criminal charges, probation, deferred sentencing, suspended sentencing, or a reduced period of incarceration. A drug offender who successfully completes the program may be given credit for the time the offender served in the drug treatment program by the judge upon disposition.

~~(6)~~(7) Each local jurisdiction that intends to establish a drug treatment court or to continue the operation of an existing drug treatment court shall establish a local drug treatment court team.

~~(7)~~(8) The drug treatment court team shall, when practicable, conduct a staff meeting prior to each drug treatment court session to discuss and provide updated information regarding drug offenders. After determining the offender's progress or lack of progress, the court, with input from the drug treatment court team, shall determine the appropriate incentive or sanction to be applied.

~~(8)~~(9) The provisions of this part apply only to offenders who qualify for participation based on qualifications established by each drug treatment court. The provisions of this part do not apply to drug offenders who have been convicted of a sexual offense, as defined in 46-23-502. This part does not confer a right or expectation of a right to participate in a drug treatment court and does not obligate a drug treatment court to accept any offender. The establishment of a drug treatment court may not be construed as limiting the discretion of a prosecutor to act on any criminal case that the prosecutor considers advisable to prosecute. Each drug treatment court judge may establish rules and may make special orders and necessary rules that do not conflict with rules adopted by the Montana supreme court.

~~(9)~~(10) Each drug offender shall contribute to the cost of drug treatment court in accordance with 46-1-1112(2).

~~(10)~~(11) A drug treatment court coordinator is responsible for the general administration of a drug treatment court under the direction of the drug treatment court judge.

~~(11)~~(12) The supervising agency shall timely forward information to the drug treatment court concerning the drug offender's progress and compliance with any court-imposed terms and conditions.

~~(12)~~(13) A department of corrections probation and parole officer may participate in a drug treatment court team if authorized by the department. The department may authorize participation if it determines, in its discretion, that the caseloads of local probation and parole officers permit participation. If necessitated by a change in caseloads, the department may withdraw authorization for participation by its probation and parole officers in a drug treatment court. The department of corrections may not authorize its probation and parole officers to supervise a participant of a drug treatment court program who has not been convicted of a felony offense and committed to the supervision of the department.""

Insert: "Section 9. Section 46-1-1211, MCA, is amended to read:

"46-1-1211. Treatment and support services. (1) As part of a diagnostic assessment, each jurisdiction shall establish a system to ensure that participants are placed into a clinically approved mental health treatment program. To accomplish this, the program conducting the individual assessment shall make specific recommendations to the mental health treatment court team regarding the type of treatment program and duration necessary so that a

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

participant's individualized needs are addressed. The assessments and recommendations must be based upon evidence-based treatment principles. The mental health treatment court and governmental entities that refer an offender to a mental health treatment court shall adopt an evidence-based program evaluation tool that measures how closely the mental health treatment court programs meet the known principles of effective intervention. The tool must measure program content and capacity to ensure the delivery of effective interventions for offenders. Treatment recommendations accepted by the mental health treatment court pursuant to this part must be considered to be reasonable and necessary and be evidence-based or research-driven.

(2) An adequate continuum of care for participants must be established in response to this part.

(3) The mental health treatment court shall, when practicable, ensure that one agency may not provide both assessment and treatment services for the mental health treatment court to avoid potential conflicts of interest or the appearance that a diagnostic assessment agency might benefit by determining that a participant is in need of the particular form of treatment that the agency provides.

(4) A mental health treatment court making a referral for mental health services or substance abuse treatment shall refer the participant to a program that is licensed, certified, or approved by the court.

(5) The court shall determine which treatment programs are authorized to provide the recommended treatment to participants. The relationship between the treatment program and the court must be governed by a memorandum of understanding, which must include the timely reporting of the participant's progress or lack of progress to the mental health treatment court.""

Renumber: subsequent sections

4. Page 9, line 12 through line 13.

Strike: "is a member" on line 12 through "comparable" on line 13

Insert: "has"

5. Page 9, line 14.

Following: "industry"

Insert: "and the court"

6. Page 13, line 24.

Strike: "2%"

Insert: "2.5%"

7. Page 14, line 25.

Strike: "\$2,353,000"

Insert: "\$4,353,000"

8. Page 15, line 1.

Strike: "AND"

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

9. Page 15, line 2.

Following: "LIBRARY"

Insert: "; and"

Insert: "(d) \$2,000,000 to the treatment court support account established in [section 3 of House Bill No. 654]"

10. Page 15.

Following: line 8

Insert: "COORDINATION SECTION. Section 21. Coordination instruction. If [this act], [section 1 of Senate Bill No. 352 funding an interdiction team], and [House Bill No. 2] are passed and approved, then the state special revenue appropriations for the department of justice, Montana Highway Patrol, in [House Bill No. 2] is reduced by \$300,206 for the fiscal year beginning July 1, 2019, and by \$299,336 for the fiscal year beginning July 1, 2020."

Renumber: subsequent sections

11. Page 15, line 11.

Strike: "[SECTIONS 15 AND 17 THROUGH 19]"

Insert: "[Sections 17 and 19 through 22]"

For the Senate:
Osmundson, Chair
Howard
McConnell

For the House:
M. Regier, Vice Chair
Glimm
Lynch

Without objection, select committee reports were adopted.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Blasdel in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senator Salomon excused at this time.

SJ 28 - Senator Sands moved **SJ 28** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 44

Nays: Cuffe, Hinebauch, Kary, Smith C, Mr President.

Total 5

Paired: None.

Excused: Salomon.

Total 1

Absent or not voting: None.

Total 0

Senator Salomon present at this time.

SR 55 - Senator Hoven moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 55**. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Bolland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 29 - Senator Gillespie moved **HJ 29** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Cohenour, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Sands, Sesso, Small, Smith F, Tempel, Webber, Welborn.

Total 35

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Nays: Boland, Brown, Cuffe, Ellis, Ellsworth, Esp, Howard, Kary, Salomon, Smith C, Thomas, Vance, Vuckovich, Webb, Mr President.
Total 15

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 31 - Senator K. Regier moved **HJ 31** be concurred in. Motion carried as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Small, Smith C, Tempel, Thomas, Vance, Vuckovich, Webb, Mr President.
Total 28

Nays: Barrett, Bennett, Boland, Cohenour, Cuffe, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Smith F, Webber, Welborn.
Total 22

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 34 - Senator D. Brown moved **HJ 34** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Brown, Cohenour, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Webber, Welborn.
Total 38

Nays: Blasdel, Bogner, Cuffe, Hinebauch, Kary, Lang, Osmundson, Regier, Smith C, Vance, Webb, Mr President.
Total 12

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 36 - Senator Fielder moved **HJ 36** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 39

Nays: Blasdel, Brown, Cuffe, Ellsworth, Esp, Howard, Kary, Lang, Smith C, Vance, Mr President.

Total 11

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 43 - Senator MacDonald moved **HJ 43** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 43

Nays: Brown, Cuffe, Howard, Kary, Smith C, Vance, Mr President.

Total 7

Paired: None.

Excused: None.

Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Absent or not voting: None.

Total 0

HJ 45 - Senator Gross moved **HJ 45** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vuckovich, Webber, Welborn, Mr President.

Total 33

Nays: Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Lang, Regier, Smith C, Tempel, Vance, Webb.

Total 17

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Senator Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Absent or not voting: None.

Total 0

Senate recessed at 11:05 a.m. and reconvened at 11:48 a.m., President Sales presiding.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hoven, Chair):
SR 58, be adopted.

4/18/2019

Without objection, the committee report was adopted.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Sales in the chair.

We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 652 - Senator Sesso moved **HB 652** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webber, Welborn.

Total 41

Nays: Brown, Ellsworth, Hinebauch, Keenan, Olszewski, Regier, Vance, Webb, Mr President.

Total 9

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 8 - Senator Cuffe moved **HB 8** be concurred in. Motion carried as follows:

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 48

Nays: Brown, Vance.
Total 2

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Majority Leader Thomas moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

MOTIONS

Majority Leader Thomas moved to **suspend Senate Rule 50-190**, related to third reading procedure, to allow all bills heard this date on second reading to proceed to third reading this date. Without objection, so ordered.

Senate recessed at 12:24 p.m. and reconvened at 12:38 p.m., President Sales presiding.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 217 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Fielder, Flowers, Gillespie, Gross, Hoven, Jacobson, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vuckovich, Webber, Welborn.

Total 30

Nays: Blasdel, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Gauthier, Hinebauch, Howard, Kary, Lang, Olszewski, Osmundson, Regier, Smith C, Tempel, Thomas, Vance, Webb, Mr President.

Total 20

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 260 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 48

Nays: Brown, Mr President.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 29 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Brown, Cohenour, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber, Welborn.

Total 38

Nays: Boland, Cuffe, Ellis, Esp, Lang, Osmundson, Salomon, Smith C, Thomas, Vance, Webb, Mr President.

Total 12

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 31 concurred in as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Small, Smith C, Tempel, Thomas, Vance, Webb, Mr President.

Total 27

Nays: Barrett, Bennett, Boland, Cohenour, Cuffe, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Smith F, Vuckovich, Webber, Welborn.

Total 23

Paired: None.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 34 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Brown, Cohenour, Ellis, Esp, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vuckovich, Webber.

Total 30

Nays: Blasdel, Bogner, Cuffe, Ellsworth, Fielder, Fitzpatrick, Hinebauch, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 20

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 36 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber.

Total 34

Nays: Blasdel, Brown, Cuffe, Ellsworth, Esp, Howard, Kary, Keenan, Lang, Salomon, Smith C, Thomas, Vance, Webb, Welborn, Mr President.

Total 16

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 0

HJ 43 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber.

Total 41

Nays: Brown, Cuffe, Esp, Kary, Keenan, Smith C, Vance, Welborn, Mr President.

Total 9

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 45 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith F, Vuckovich, Webber, Mr President.

Total 29

Nays: Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Lang, Osmundson, Regier, Salomon, Smith C, Tempel, Thomas, Vance, Webb, Welborn.

Total 21

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 30, as amended by the House, passed as follows:

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vuckovich, Webber, Welborn.

Total 30

Nays: Blasdel, Brown, Cuffe, Ellsworth, Esp, Fielder, Gillespie, Hinebauch, Howard, Kary, Keenan, Lang, Osmundson, Regier, Smith C, Tempel, Thomas, Vance, Webb, Mr President.

Total 20

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 114, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Ellis, Fielder, Fitzpatrick, Flowers, Gauthier, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Webb, Webber.

Total 30

Nays: Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Gillespie, Hinebauch, Howard, Kary, Keenan, Lang, Osmundson, Regier, Smith C, Thomas, Vance, Vuckovich, Welborn, Mr President.

Total 20

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 125, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso,

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 204, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Kary, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 42

Nays: Esp, Fielder, Hinebauch, Keenan, Lang, Tempel, Vance, Mr President.

Total 8

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 216, as amended by the House, passed as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 31

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 19

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 239, as amended by the House, passed as follows:

Yeas: Ankney, Bennett, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, McConnell, McNally, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 36

Nays: Barrett, Boland, Cohenour, Ellis, Esp, MacDonald, Malek, McClafferty, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.

Total 14

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 265, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vuckovich, Webb, Webber.

Total 36

Nays: Brown, Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Lang, Olszewski, Smith C, Tempel, Vance, Welborn, Mr President.

Total 14

Paired: None.

Excused: None.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 0

Absent or not voting: None.

Total 0

SB 266, as amended by the House, passed as follows:

Yeas: Ankney, Blasdel, Bogner, Cuffe, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Howard, Jacobson, Kary, MacDonald, Malek, McConnell, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Thomas, Vance, Webb, Welborn.

Total 30

Nays: Barrett, Bennett, Boland, Brown, Cohenour, Ellis, Esp, Fielder, Hoven, Keenan, Lang, McClafferty, McNally, Pomnichowski, Sands, Smith F, Tempel, Vuckovich, Webber, Mr President.

Total 20

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 312, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Kary, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Thomas, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 43

Nays: Brown, Hinebauch, Keenan, Lang, Smith F, Tempel, Vance.

Total 7

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

SB 343, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 42

Nays: Blasdel, Bogner, Esp, Keenan, Olszewski, Smith C, Tempel, Thomas.

Total 8

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 363, as amended by the House, passed as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Ellis, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber, Welborn.

Total 36

Nays: Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Kary, Keenan, Olszewski, Smith C, Thomas, Vance, Webb, Mr President.

Total 14

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJ 28 passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Ellis, Ellsworth, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Sands, Sesso,

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Small, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 39

Nays: Brown, Cuffe, Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Osmundson, Salomon, Smith C.
Total 11

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 54, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Kary, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn, Mr President.
Total 46

Nays: Hinebauch, Keenan, Lang, Vance.
Total 4

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 599, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Small, Smith F, Vuckovich, Webber, Welborn.
Total 28

Nays: Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Hinebauch, Howard, Kary, Keenan, Lang, Osmundson, Regier, Sesso, Smith C, Tempel, Thomas, Vance, Webb, Mr President.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 22

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 93, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Tempel, Thomas, Vance, Vuckovich, Webb, Welborn, Mr President.

Total 32

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Smith F, Webber.

Total 18

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 139, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 43

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Pomnichowski.

Total 7

Paired: None.

Excused: None.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Total 0

Absent or not voting: None.

Total 0

HB 652, concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webber, Welborn.

Total 40

Nays: Brown, Ellsworth, Hinebauch, Howard, Keenan, Olszewski, Regier, Vance, Webb, Mr President.

Total 10

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 8, concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 47

Nays: Brown, Keenan, Vance.

Total 3

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

MESSAGES FROM THE OTHER HOUSE

SB 32 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 32**:

4/18/2019

Representative White, Vice Chair
Representative B. Brown
Representative Curdy

SB 201 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 201**:

4/18/2019

Representative White, Vice Chair
Representative Keane
Representative R. Knudsen

SB 247 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 247**:

4/18/2019

Representative White, Vice Chair
Representative B. Brown
Representative Curdy

SB 352 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 352**:

4/17/2019

Representative Glimm, Vice Chair
Representative Ballance
Representative Lynch

Conference Committee Report No.1 adopted:

4/18/2019

SB 93, introduced by T. Richmond
SB 139, introduced by M. Lang

Senate amendments to House bills concurred in:

4/18/2019

HB 3, introduced by K. Holmlund
HB 4, introduced by D. Bartel
HB 5, introduced by J. Keane
HB 52, introduced by J. Keane

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

HB 441, introduced by K. White
HB 515, introduced by B. Usher
HB 555, introduced by D. Lenz
HB 636, introduced by L. Jones
HB 643, introduced by R. Knudsen
HB 669, introduced by F. Moore
HB 676, introduced by D. Skees
HB 722, introduced by S. Gunderson
HB 735, introduced by M. Hopkins

Senate amendments to House bill not concurred in: 4/18/2019

HB 597, introduced by D. Zolnikov

Senate joint resolution concurred in as amended and returned to the Senate for concurrence in House amendments:

4/18/2019

SJ 10, introduced by K. Bogner

Conference Committee Report No.1 adopted:

4/18/2019

HB 54, introduced by R. Peppers
HB 599, introduced by J. Windy Boy

HB 433 - The House failed to concur in Senate amendments to **HB 433**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 433**:

4/18/2019

Representative F. Moore, Vice Chair
Representative Ballance
Representative Ryan

MOTIONS

Majority Leader Thomas moved the Senate accede to the request of the House and appoint a Conference Committee on **HB 433**. Motion carried. President Sales appointed:

4/18/2019

Senator Osmundson, Chair
Senator McConnell
Senator C. Smith

ANNOUNCEMENTS

Conference committee meetings were announced by the committee chairs.

SENATE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2019

Majority Leader Thomas moved the Senate adjourn until 5:00 p.m., Monday, April 22, the eighty-fourth legislative day. Motion carried.

Senate adjourned at 12:55 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate